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SENATE

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REPORT
No. 685

KIYOKO MATSUO

AUGUST 20 (legislative day, AUGUST 1), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 608]

The Committee on the Judiciary, to which was referred the bill (H. R. 608) for the relief of Kiyoko Matsuo, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

On page 2, strike lines 10 and 11 of the bill, and insert in lieu thereof the following: "as of the date of the payment by her of the required visa fee and head tax."

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the Japanese fiancée of a citizen of the United States and an honorably discharged veteran of World War II to enter the United States for the purpose of marrying said citizen fiancée and to thereafter reside in the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 21-year-old native and citizen of Japan who became engaged to Mr. Martin Boyer while he was on duty with the United States Armed Forces in Japan. Mr. Boyer is a native-born citizen of the United States and, following his honorable discharge from the Army, he is now residing in Lancaster, Ohio.

A letter dated May 18, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case, reads as follows:

MAY 18, 1951.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 608) for the relief of Kiyoko Matsuo, an alien.

The bill would render the provisions of the immigration laws relating to exclusion from the United States of aliens inadmissible because of race inapplicable to Kiyoko Matsuo, Japanese fiancée of Martin Boyer, a United States citizen, and would provide that Miss Matsuo shall be eligible for a visa as a nonimmigrant temporary visitor if it is found that she is coming to this country with the bona fide intention of marrying Mr. Boyer and that she is otherwise admissible under the immigration laws. It would also provide that, if such marriage does occur within 3 months after her entry, the Attorney General shall record her admission to the United States for permanent residence as of the date of her entry, upon payment by her of the required fees and head tax; otherwise, she shall be required to depart from the United States and upon failure to do so shall be deported.

The files of the Immigration and Naturalization Service of this Department disclose that the alien is a native and citizen of Japan, having been born on October 24, 1929, in Fukuoka, Kyushu, Japan. Mr. Martin Boyer, the fiancé of Miss Matsuo, stated that he was born on April 28, 1928, in Lancaster, Ohio, and that he served with the United States Army from October 1946 until 1948, when he was honorably discharged. He became acquainted with Miss Matsuo while serving with the Army in Japan. According to his statements, her father is deceased and she is residing with her mother in Japan. Mr. Boyer is employed by the Lancaster Lens Co. in Lancaster, Ohio.

Miss Matsuo, being of the Japanese race, is racially ineligible to citizenship under section 303 of the Nationality Act of 1940, and therefore is inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. In the absence of special or general legislation she may not be permitted to enter this country for permanent residence.

Whether the instant bill should be enacted presents a question of legislative policy concerning which the Department of Justice prefers not to make any recommendation.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Congressman Walter E. Brehm, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following information in connection with the case:

534 NORTH BROAD STREET, LANCASTER, OHIO,
July 13, 1950.

MR. WALTER E. BREHM, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: Enclosed please find affidavits as to my character, responsibilities, etc., and consent of my parents to bring my Japanese fiancée, Kiyoko Matsuo, to this country. I have not been able to get an affidavit from Miss Matsuo concerning her past, but perhaps these facts will help.

She is 21 years of age, has had the Japanese equivalent of a high-school education, and has had a year or more in a college or similar institution. She was forced to discontinue her education upon the death of her stepfather. Her father, who was a heart doctor, died some time near the end of the war. Miss Matsuo and I are both Catholics.

As for myself, I have attended Ohio State University for 1 year since being discharged from the Army in the latter part of 1948. I have over \$900 in cash, \$125 in bonds, and I am at present employed by the Lancaster Lens Co., with a weekly wage which varies around \$50. I intended to finish my education and then go back to Japan; but, with conditions as they are in the Far East, I believe it best to have my fiancée brought to America.

Sincerely,

MARTIN BOYER.

534 NORTH BROAD STREET, LANCASTER, OHIO,
July 4, 1950.

WALTER E. BREHM, M. C.

DEAR SIR: This is to inform you that I approve of my son, Martin Boyer, bringing his Japanese fiancée to this country.

Very truly yours,

Mrs. EDWIN BOYER.

Re Martin G. Boyer.

To Whom It May Concern:

Mr. Boyer has been in our employ for the past 2 months. Mr. Boyer is a steady and capable person. We are very glad to be able to assist him in any way that we can. We feel that any obligation he might assume will be handled in the proper manner.

(Typed) CYRIL D. BAUGHMANN,
Personnel Director.

(Signed) C. D. BAUGHMAN,
Lancaster Lens Co

The bill has been amended to conform with the policy of the committee in granting permanent residence in the United States to an alien as of the date of the adjustment rather than as of the date of last entry into the United States.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 608), as amended, should be enacted.

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